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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/813,709 | 03/31/2004 | Upendra V. Chaudhari | YOR920040077US1 (590.131) | 5114 |
| 35195 7590 02/13/2008 FERENCE & ASSOCIATES LLC 409 BROAD STREET PITTSBURGH, PA 15143 | | | EXAMINER SAINT CYR, LEONARD | |
| | | | ART UNIT 2626 | PAPER NUMBER |
| | | | MAIL DATE 02/13/2008 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/813,709

Applicant(s)

CHAUDHARI ET AL.

Examiner

Leonard Saint-Cyr

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 13, 15 – 27, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Haritsa et al., (US PAP 2002/0046030).

As per claims 1, 2, 8, 15, 16, 22, and 29, Haritsa et al., teach a method for assessing the identity of an individual, said method comprising the steps of:

accepting input from an individual (paragraph 6, lines 1 – 3);

attributing at least one user group to the individual; and repeating said attributing step until the identity of the individual is assessed (“depending on the scoring and the particular HMMs through which the speaker’s voice is processed, the speaker can be characterized by different factors as for example, gender, age, geographic...”; paragraph 11, lines 4 – 19; paragraph 13, lines 10 - 18).

As per claims 3, 4, 9 - 11, 17, 18, and 23 - 25, Haritsa et al., further disclose performing a gradual/partial determination of the identity of the individual via issuing a stream of cues over time, each of said cues being indicative of one or more user groups to which the individual belongs with a given degree of confidence (“depending on the scoring and the particular HMMs through which the speaker’s voice is processed, the

speaker can be characterized by different factors as for example, gender, age, geographic..."; paragraph 11, lines 4 – 19; paragraph 13, lines 10 - 18).

As per claims 5, 6, 19, and 20 Haritsa et al., further disclose attributing to the individual at least one user group that is distinct from any user group previously attributed; wherein the individual is identified by narrowing down a quantity of possible individuals into smaller user groups (" male versus female, child versus adult...depending on the scoring and the particular HMMs through which the speaker's voice is processed, the speaker can be characterized by different factors as for example, gender, age, geographic..."; paragraph 11, lines 4 – 19; paragraph 13, lines 10 - 18).

As per claims 7, and 21, Haritsa et al., further disclose characterizing the identity of an individual as a vector of similarity scores with respect to given user groups ("depending on the scoring and the particular HMMs through which the speaker's voice is processed"; paragraph 11, lines 4 – 19).

As per claims 12, and 26, Haritsa et al., further disclose that said repeating step further comprises the step of performing real time data retrieval; and said step of performing real time data retrieval comprises employing the issued cues to narrow down a database to be searched (paragraph 11, lines 4 – 19).

As per claims 13, and 27, Haritsa et al., further disclose that said repeating step further comprises the step of performing real time discovery of the individual; and said step of performing real time discovering comprises employing the issued cues to narrow down user models which represent potential users to be scored (paragraph 11, lines 4 – 19).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haritsa et al., (US PAP 2002/0046030) in view of Teunen (US PAP 2005/0132235).

As per claims 14, and 28, Haritsa et al., do not specifically teach employing the issued cues to narrow down relevant imposter models which represent potential false users.

Teunen teaches that the term claimant is used to indicate the broad category of people each of whom are claiming to be a particular person. The classifier functions to classify a claimant as a true speaker or imposter based upon the outputs of the underlying verification technologies (paragraph 9, lines 10 – 13; paragraph 10, last five lines).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to identify the imposter models as taught by Teunen in Haritsa et al., because that would provide a high degree of confidence that the caller is an authorized user (paragraph 6, lines three lines).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard Saint-Cyr whose telephone number is (571) 272- 4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)- 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS
02/09/08



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER